

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Scott Ramon Parizek,)	
)	
Petitioner.)	
)	ORDER
v.)	
)	
State of North Dakota)	
Michael P Hurly)	Case No. 1:22-cv-058
)	
Respondents.)	

Petitioner Scott Ramon Parizek (“Parizek”) initiated the above-captioned action pro se and in forma pauperis in April 2022 by filing a petition for a writ of habeas corpus under 28 U.S.C. § 2254. (Doc Nos. 1, 2). On April 25, 2022, the court issued order giving him until May 31, 2022, to either show cause why his petition should not be dismissed or to file an amended petition. (Doc. No. 6).

In addition to initiating the-above-captioned action, Parizek initiated a separate action, Parizek v. Hurley, Case No. 1:22-cv-057 (D.N.D.) (hereafter referred to as “Parizek II”, with the submission of a petition for a writ of habeas corpus under § 2241.

On May 2, 2022, Parizek filed what the court construes as a motion for consolidation. (Doc. No. 7). Parizek asks that the court consolidate Parizek II with above-captioned action. The court has dismissed Parizek II without prejudice and with the understanding that any grounds for relief asserted in that case can be incorporated by Parizek into any amended § 2254 petition he files the above-captioned action. Accordingly, Parizek’s motion for consolidation (Doc. No. 7) is deemed **MOOT**.

IT IS SO ORDERED.

Dated this 2nd day of May, 2022.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge
United States District Court